

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DATE: June 20, 2024

JUDGE: JOHN D. LOVE

REPORTER:

LAW CLERK: Brent Bauer

COURTROOM DEPUTY: Sharon Baum

**WENDY TIPPETT, as the administrator of
the estate of Timothy Michael Randall**

V

**SERGEANT SHANE IVERSON,
UNKNOWN OFFICER AND COUNTY
OF RUSK TEXAS**

CASE NO: 6:23cv515

MOTIONS HEARING

ATTORNEYS FOR PLAINTIFF

Joseph Oxman and Timothy Craig

ATTORNEY FOR DEFENDANTS

Lee Correa

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 10:07

ADJOURN: 11:09

TIME:	MINUTES:
10:07	Case called. The parties announced they are here and ready.
	Judge states we are here today on the motion for protective order and qualified immunity. We will proceed first with the motion for protective order.
10:10	Ms. Correa begins argument on motion for protective order.
	Mr. Oxman objects.
	Ms. Correa responds.
	Judge understands the danger.
	Ms. Correa continues argument.

TIME:	MINUTES:
10:14	Judge asks question of Ms. Correa.
	Ms. Correa responds.
10:15	Judge makes additional comments.
	Ms. Correa responds.
10:18	Judge makes additional comments
	Ms. Correa further responds.
	Judge brings up the issue that the incident happened on a public street.
	Ms. Correa makes additional comments.
10:22	Judge moves on to case authority.
	Ms. Correa states there is a similar case out of Beaumont.
10:24	Judge makes further comments about any threats against Sergeant Iverson. Judge asks for response from the plaintiff. Judge asks question of plaintiff's counsel.
10:27	Mr. Craig responds.
	Judge asks additional question of Ms. Correa.
	Mr. Correa responds
	Judge asks for response from plaintiff's counsel.
	Mr. Oxman begins response.
10:35	Judge asks question of plaintiff's counsel.
	Mr. Craig responds.
	Judge asks additional question.
10:38	Mr. Craig responds.
	Judge makes additional comments and asks additional questions.

TIME:	MINUTES:
	Mr. Craig responds.
10:41	Judge asks question about position.
	Mr. Craig makes further response.
10:43	Judge asks about what was mentioned that the plaintiff intends to amend the complaint.
	Mr. Oxman responds.
10:46	Judge asks for a response from defense counsel.
	Ms. Correa responds.
10:47	Judge is going to order counsel to meet and confer and if no agreement file a motion to amend by two weeks from today.
	Ms. Correa responds and begins argument on qualified immunity motion.
10:50	Judge asks question of Ms. Correa.
	Ms. Correa responds.
10:51	Judge makes remarks about what else the Court would need on qualified immunity.
	Ms. Correa responds.
10:56	Mr. Oxman begins response to motion for qualified immunity.
10:58	Judge comments is the video enough or does the court need additional discovery.
11:01	Mr. Oxman responds he believes the video is plenty to decide on qualified immunity.
10:04	Judge advises on motion to amend to attach the amended complaint.
	Ms. Correa makes comments.
11:06	Judge makes remarks to the gallery.
	Ms. Correa continues response.
11:07	Judge makes comments about fact discovery. Is there agreement on these dates?

TIME:	MINUTES:
11:08	Mr. Oxman agrees with the dates.
	Judge makes closing remarks.